

In the United States District Court
For the Northern District of Oklahoma

United States of
America

v.

Lindsey K. Springer, et al

08-CV-278-TCK

FILED

SEP 20 2010

Phil Lombardi, Clerk
U.S. DISTRICT COURT

Motion to vacate Judgment and
to Dismiss For lack of Jurisdiction.

Lindsey K. Springer moves this Court to vacate its Judgment dated March 16, 2010 because it was entered without jurisdiction, as prohibited by Title 26, USC. § 7401; and to vacate the opinion dated March 3, 2010 for the same reason, and pursuant to Fed. R. Civ. Pr. 12(b)(1) and (6) dismiss the Complaint and Amended Complaint finding the complaint was not authorized by a delegate of the Secretary of the Treasury authorized to perform the Function For the Secretary under § 7401, 7402, 7403 to authorize the civil action filed in this case outside D.C.

Elizabeth Downs was not such a delegate, Springer request this Court order (1) Judgment vacated; (2) order an answer be filed; (3) a Jury Trial be directed on whether Downs is authorized and all disputed facts; (4) withdraw its order of March 3, 2010 and March 16, 2010 and any orders subsequent thereto; (5) certify this Courts intention to grant the Motion to the Tenth Circuit in 10-5037; and (6) dismiss the Amended Complaint, cross Claims and Counter Claims against Springer and SHCA for lack of Jurisdiction. A brief accompanies this Motion.

Lindsey K. Springer

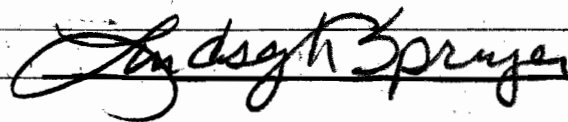
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Certificate of Service

I hereby certify that on September 16, 2010, I mailed Lindsey K. Springer's Motion to Vacate Judgment and Dismiss for Lack of Jurisdiction to the Clerk's Office at 333 W. 4th St, Tulsa, OK 74103.

I further certify that all parties to this case receive service by the Court's ECF System.

James C. Strong
Robert D. Metcalfe
Allen Mitchell.

 Lindsey K. Springer